

Claim Rejections - 35 U.S.C. 103

Examiner has rejected claim 1 under Section 103 as unpatentable over Roundtree, in view of Colbert, et al. Applicant's response is to cancel claim 1, along with claims 2, 3, and 4. However, some discussion of the cited reference is considered apposite. Examiner has stated that Roundtree shows a peripheral frame element, a transparent cover glass, a frame on the inner surface of the cover glass, a print within the smaller frame, and a template corresponding to the size of the cover glass, as well as the positioning of the template and cover glass within the frame element. Applicant agrees. Roundtree does not disclose a printing of a legend onto the template, which is also correct. The disclosure of a grain on the template is not considered significant, as are other ornaments beside wood grain. There is no suggestion of using computer software in this reference. Neither is there a suggestion of using computer software in Colbert, et al., who does suggest printing indicia onto a border portion.

Examiner has taken further view of Janetzke in combination with Roundtree and Colbert, et al. relative to claims 2 and 3.

While Janetzke may suggest the idea of printing stored computer data onto a picture frame, he does not suggest where the stored data comes from, which now appears to be the essence of Applicant's invention.

Relative to claim 4, Examiner has rejected this claim on the Roundtree, Colbert, et. al. combination in further view of Dedlow, who shows in Figures 1-10 a frame the includes a groove for receiving and holding a cover glass picture and backing. Applicant agrees that this reference shows this structure, as indicated above.

Newly presented claim 5 is based upon withdrawn claim 1, but more particularly pointing out the provision of a data storage disc which has been pre-recorded with specialized data of a type which the average computer owner would not normally develop by himself, due to lack of imaginative talent or other reasons. This problem is disclosed in the last paragraph of page 1 of Applicant's specification, where it is acknowledged that the use of computer-stored data to compose a greeting card is known in the art.

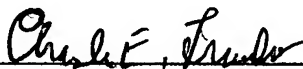
Itano and Kelly teach the use of a cover glass that includes a frame section formed thereon, while Timmer includes the use of a template that includes a background printed thereon. This position of Examiner is not traversed by Applicant.

There now remains in the application newly presented claim 5, which is directed to a method which enables the average computer user to compose a form of artistic expression in the formation of a greeting card, announcement, or similar product which can be positioned within a generally conventional picture frame of a type known in the art. This is accomplished by providing a pre-recorded data disc having specialized data particularly suited for this purpose, which may be supplied to a customer along with the other components as a unit. The purchaser can upload the information into his computer data base, following which he can selectively download those portions which he considers desirable. He can then view his composition on the screen, and employ his printer to print out the template carrying the desired data. Much of this data is of an artistic nature which would not be otherwise available to the user.

It has often been said that many inventions consist of two steps. A first is the conception of the general result wished for. A second is the actual reduction to practice of the concept. In many cases, once the first step is appreciated, the second step follows as a matter of routine. This does not detract from the inventive level of the invention. It is submitted that such is the case here.

In the light of the above amendment and argument, reconsideration of Examiner's decision is requested, and further and favorable action is earnestly solicited.

Respectfully,



Charles E. Temko
Attorney of Record

22 Marion Road
Westport, CT 06880
(203) 227-7368

Dated: Aug 19, 2005

I hereby certify that this correspondence is being deposited
with the United States Postal Service as first class mail in an
envelope addressed to:
Commissioner of Patents and Trademarks, ALEXANDRIA, Va
~~Washington, D.C.~~

20231 on Aug 19, 2005

Dated Aug 19, 2005 By: Charles E. Temko